

ITEM: 21

SUBJECT: City of Manteca, Water Quality Control Facility, San Joaquin County

BOARD ACTION: *Consideration of Administrative Civil Liability Order and Supplemental Environmental Project*

BACKGROUND: The City of Manteca (Discharger) owns and operates the Water Quality Control Facility, which provides sewerage service to the Cities of Manteca and Lathrop. A tentative Administrative Civil Liability (ACL) Order, in the amount of \$478,000, is proposed for consideration by the Regional Water Quality Control Board, Central Valley Region. The proposed ACL is for violations of Waste Discharge Requirements (WDR) Order No. 97-115, Order No. 5-01-007, and Order No. R5-2004-0028 (NPDES No. CA0081558), pursuant to California Water Code (CWC) section 13385, which authorizes the imposition of Administrative Civil Liability.

The tentative ACL Order includes the assessment of mandatory penalties, pursuant to CWC section 13385 (h) and (i) for violations of effluent limitations from 1 January 2000 through 31 January 2005. In addition, the Discharger failed to maintain compliance with several time schedules in WDR Order No. R5-2004-0028 and Cease and Desist Order No. R5-2004-0029, resulting in the proposed assessment of additional penalties.

Recommended for approval with the tentative ACL Order is a supplemental environmental project (SEP), proposed by the Discharger to offset a portion of the penalty. The proposed SEP, with a total budget of \$204,000, will be administered by River Partners and involves planting 11,000 linear feet of wildlife habitat on the west side of the abandoned/decommissioned Army Corps of Engineers levees on the Vierra Unit of the San Joaquin River National Wildlife Refuge.

RECOMMENDATION: Adopt the proposed order.

Mgmt. Review _____
Legal Review _____

15/16 September 2005
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